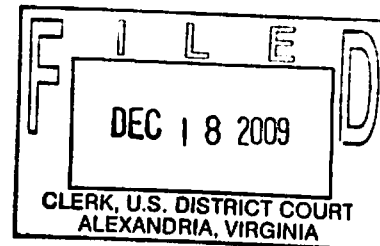


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

SIGRAM SCHINDLER)
BETEILIGUNGSGESELLSCHAFT)
MBH)
Plaintiff,)

v.)

DAVID J. KAPPOS in his official)
capacity as Undersecretary of)
Commerce for Intellectual Property)
and Director of the United States)
Patent and Trademark Office, et al.,)
Defendants.)



No. 1:09cv935

ORDER

For the reasons stated in an accompanying Memorandum Opinion of December 14, 2009,
and for good cause,

It is hereby **ORDERED** that plaintiff's cross-motion for summary judgment is **DENIED**
and that defendants' cross-motion for summary judgment is **GRANTED**.

Accordingly, it is further **ORDERED** that plaintiff's complaint is hereby **DISMISSED**
WITHOUT PREJUDICE and that the Clerk is **DIRECTED** to enter judgment in favor of
defendants pursuant to Rule 58, Fed. R. Civ. P.

The Clerk is directed to send a copy of this Order to all counsel of record and to place the
matter among the ended causes.

Alexandria, VA
December 18, 2009



T. S. Ellis, III
United States District Judge